

From: [Clara Beitin](#)
To: [Garyg Miller](#)
Cc: [Barbara Aldridge](#); [Barbara Nann](#); [Carlos Sanchez](#)
Subject: Re: Gulfco Financial Assurance Request
Date: 12/15/2008 07:56 AM

What is the cost of work they were assuring?


Clara Beitin, Attorney-Advisor
OECA/OSRE/RSD
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Mail Code: 2272A
Washington D.C. 20460
(202) 564-4795

Help EPA fight pollution by reporting environmental violations on EPA's website at:
<http://www.epa.gov/compliance/complaints/index.html>

▼ Garyg Miller---12/12/2008 09:33:53 AM---Barbara, Did Liz Webb give a reason for the request? Is it just Gulfco, or are they wanting this for all their sites? Dow is

**Garyg
Miller/R6/USEPA/US**

12/12/2008 09:14 AM

To: Barbara Nann/R6/USEPA/US@EPA
cc: Barbara Aldridge/R6/USEPA/US@EPA, Clara
Beitin/DC/USEPA/US@EPA, Carlos
Sanchez/R6/USEPA/US@EPA
Subject: Re: Gulfco Financial Assurance Request 

Barbara,

Did Liz Webb give a reason for the request? Is it just Gulfco, or are they wanting this for all their sites? Dow is in the process of closing/idling a number of plants due to the economy, so there will be some issues with their financials. My initial thought is to handle this like we did for the extensions to obtain access (i.e., modify the UAO with a letter signed by Sam granting an extended date). However, since DOJ is involved now, do they have a role to play? The bigger question is whether the economy could be impacting Dow's, and the other PRPs, ability to cover their obligations for all their sites. Pending any additional information, my recommendation would be to grant the extension (due to near completion of RI/FS and potential scope of the remedial action). Of course, the risk is that PRP funds will not be available without a more secure financial assurance mechanism.

Regards,

Gary Miller
Remediation Project Manager
EPA Region 6 - Superfund (6SF-RA)
(214) 665-8318

millar.garyg@epa.gov

▼ Barbara Nann/R6/USEPA/US

**Barbara
Nann/R6/USEPA/US**

12/09/2008 10:34 AM

To Barbara Aldridge/R6/USEPA/US@EPA, Garyg
Miller/R6/USEPA/US@EPA
cc Clara Beitin/DC/USEPA/US@EPA
Subject Gulfco Financial Assurance Request

I received a call from Liz Webb representing Dow and the PRP group is asking for an extension of the the requirement to submit yearly financial assurance. The deadline for submittal is end of January. They are asking for an extension until July 29, 2008. I am checking with HQ if we can do this and that it doesn't require amending the UAO. Gary can you check with management and Sam if they are open to the idea of allowing for an extension?

cc: Clara,

I received a request from a PRP request performing a RI/FS under a UAO asking for an extension of submittal of financial assurance. Do we do this? Does it require amending the UAO? How do other regions typically handle the request?

Barbara A. Nann
Assistant Regional Counsel
EPA Region 6 (6RC-S)
1445 Ross Avenue
Dallas, TX 75202
phone: (214) 665-2157
fax: (214) 665-6460
nann.barbara@epa.gov